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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/932,057 | 08/16/2001 | Wu-Hong Hsieh | TAI 309 | 5056 |
| 23581 | 7590 | 09/09/2004 | EXAMINER | |
| KOLISCH HARTWELL, P.C. 520 S.W. YAMHILL STREET SUITE 200 PORTLAND, OR 97204 | | | CHAU, COREY P | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2644 | 2 |

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,057

Applicant(s)

HSIEH, WU-HONG

Examiner

Corey P Chau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4194096 to Ramsey.

Regarding Claim 1, Ramsey discloses a shockproof microphone support device (i.e. microphone shock mount and assembly) comprising: a supporting base (12,14) adapted to detachably connect to a retaining base (116) for supporting the shockproof microphone support device on the ground (Figs. 9, and 13-18; column 2, lines 43-52; column 4, lines 38-48); and a shockproof strip (98,100,102,108,110,112) securely engaging with the supporting base (Fig. 1) and adapted to support a microphone (10) thereon (column 4, lines 16-37).

3. Regarding Claim 2, Ramsey discloses the supporting base (12,14) is composed of a first and a second grip plates (26,28) each adapted to be securely connected to the retaining base (116) (Fig. 9) and having a top portion (46,48), a bottom portion (i.e. the bottom portion does not have a reference number, but is shown in Fig. 15 as the portion that is between the U-shape portion of 26 and 28 and the mating tabs 38 and 40), an upright portion (i.e. the upright portion does not have a reference number, but is shown in Fig. 15 as the portion that is extending between the top and bottom portion) extending

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between the top and the bottom portion, an ear plate (36) downwardly extending from a flange of the bottom portion (Figs. 1, 9, and 15) and a U-like cross-section channel (96,94) defined by the top portion, the bottom portion and the upright portion (Fig. 15), so that when the first and the second grip plates (26,28), are securely connected to the retaining base (116) (Fig. 9), the two U-like cross section channels (96,94) of the first and the second grip plates defines a passage to receive the shockproof strip therein (column 3, line 57 to column 4, lines 2).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 4194096 to Ramsey in view of U.S. Patent No. 4546950 to Cech.

Regarding Claim 3, Ramsey discloses the shockproof strip (98,100,102,108,110,112) is made of a flexible material (column 3, lines 59-68) that is able to absorb vibration and deformable. Ramsey does not expressly disclose plurality of dents, however it would have been obvious to one of ordinary skill in the art to utilize any equivalent shockproof strip that will produce the same result of absorbing vibrations. Cech for example, discloses shock-absorbing support for microphone comprising a shockproof strip (4') provided with a plurality of dents (Figs.3 and 4; column 4, lines 19-37). It would have

been obvious to one having ordinary skill in the art to employ any equivalent shockproof strip, which is able to absorb vibrations, such as that of Cech. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the shockproof strip of Cech, which is able to absorb vibrations.

Allowable Subject Matter

6. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey P Chau whose telephone number is (703)305-0683. The examiner can normally be reached on Monday - Friday 9:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on (703)305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 2, 2004


FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER